

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

ROY GRAY

PLAINTIFF

V.

CIVIL NO. 6:20-cv-06034

VERONIQUE MOORE

DEFENDANT

**ORDER**

The Court has received a Report and Recommendation (ECF No. 13) from United States Magistrate Judge Barry A. Bryant. Plaintiff proceeds in this 42 U.S.C. §1983 action *pro se* and *in forma pauperis*. Upon review, the Magistrate recommended that Plaintiff's official capacity claims be dismissed without prejudice, because Defendant Moore was an employee of the Arkansas Department of Correction at the time of the alleged Constitutional violations. Plaintiff has filed timely, written Objections (ECF No. 14) to the Report and Recommendation. The matter is now ripe for consideration.

The Court has conducted a *de novo* review of the report and recommendation. 28 U.S.C. § 636(b)(1). After consideration, the Court finds that Plaintiff's Objections offer neither law nor fact requiring departure from the Magistrate's findings, and that the report and recommendation is proper, contains no clear error, and should be and hereby is ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Plaintiff's official capacity claims against Defendant Moore should be and hereby are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's individual capacity claims remain before the Court for adjudication.

SO ORDERED this 20th day of May 2020.

/s/ Robert T. Dawson

HON. ROBERT T. DAWSON  
SENIOR U.S. DISTRICT JUDGE

